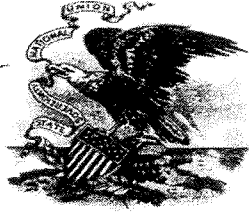


STATE OF ILLINOIS

DEPARTMENT OF INSURANCE



IN THE MATTER OF THE NON-RENEWAL OF
STATE FARM FIRE & CASUALTY INS. CO.
POLICY NO. 13-BW-F917-6
ISSUED TO: GERALD COLEMAN

HEARING NO. 10-HR-0540

ORDER

I, Michael T. McRaith, Director of Insurance for the State of Illinois, hereby certify that I have read the Findings of Fact, Conclusions and Recommendations of the Hearing officer, Helen Kim, heretofore appointed and designated pursuant to Section 402 of the Illinois Insurance Code (215 ILCS 5/402) to conduct a hearing into the above-captioned matter, and that I have carefully considered the Findings, Conclusions and Recommendations of the Hearing Officer.

I, Michael T. McRaith, Director of Insurance for the State of Illinois, being fully advised in the premises, do hereby adopt said Findings of Fact, Conclusions and Recommendations as my own, and based upon the same, enter the following Order under the authority granted me by the applicable sections of the Illinois Insurance Code, and do hereby ratify, approve and confirm the Findings of Fact, Conclusions and Recommendations made by the Hearing Officer attached hereto and made part hereof.

IT IS THEREFORE ORDERED that the non-renewal of State Farm Fire & Casualty Insurance Company Policy No. 13-BW-F917-6 issued to Gerald Coleman was not in violation of applicable provisions of the Illinois Insurance Code and that the non-renewal shall be effective 30 days from the date of this Order.

IT IS FURTHER ORDERED that the costs of this Hearing shall be waived.

DEPARTMENT OF INSURANCE
State of Illinois

DATE: 15 June 2010



Michael T. McRaith
Director



IN THE MATTER OF THE NON-RENEWAL OF
STATE FARM FIRE & CASUALTY INS. CO.
POLICY NO. 13-BW-F917-6
ISSUED TO: GERALD COLEMAN

HEARING NO. 10-HR-0540

Gerald Coleman
1409 W. North Shore Ave., Unit 3
Chicago, Illinois 60626

and

State Farm Fire and Casualty Insurance Company
Attention: Joseph Johnson
2702 Ireland Grove Road
Bloomington, Illinois 61709-0001

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDATIONS OF
THE HEARING OFFICER

The above-captioned matter was called for a hearing in Chicago, Illinois at 10:30a.m. on June 10, 2010 before Helen Kim, acting as Hearing Officer, pursuant to the designation and appointment of the Director of Insurance of the State of Illinois. The Respondent, State Farm Fire & Casualty Insurance Company represented by Matt Ward, Personal Lines Fire Team Manager, and Walt Bauldrick, Personal Lines Fire Team Manager appeared and gave evidence. The Complainant did not appear. Having heard and considered all of the evidence and testimony offered at the aforesaid Hearing and having been otherwise fully advised in the premises the Hearing Officer submits the following Findings, Conclusions and Recommendations to the Director of Insurance.

FINDINGS OF FACTS

1. The Insured is an Illinois resident with a mailing address of 1409 W. North Shore Ave., Unit 3, Chicago, Illinois 60626 and the Respondent, State Farm & Fire Casualty Insurance Company, is an insurer licensed to write property and casualty risks in this State.
2. The Complainant has maintained coverage since June 9, 2009, currently under Policy No. 13-BW-F917-6 issued by Respondent. On April 9, 2010 the Respondent issued a notice of non-renewal on Policy No. 13-BW-F917-6 to the Complainant's mailing address.
3. The notice of non-renewal (Hearing Officer Exhibit #3) was issued by Respondent sixty (60) days prior to the effective date of non-renewal on June 9, 2010 and contained the following reasons for the Respondent's decision to non-renew the policy:

The insurance coverage is no longer acceptable to State Farm Fire and Casualty Company because of your overall claim activity. Our records show the following loss(es):

Claim #	Date	Cause of Loss	Amount
13B383319	01-28-10	Theft	\$ 1,207.86

4. The Department of Insurance received a written request for a Hearing from the Complainant. (Hearing Officer Exhibit #4)
5. The Department of Insurance received the return receipts ("green card") for the Notice of Hearing sent to State Farm Fire & Casualty Insurance Co. and Mr. Coleman.
6. The Complainant, Gerald Coleman, did not appear.
7. Matt Ward with State Farm Fire & Casualty Insurance Company testified in this matter as follows:
 - a) The homeowners policy for Mr. Coleman was set up for non-renewal due to the insured's overall claim activity. This policy was in force for one year and they gave sufficient notice of 60 days notice to the insured regarding the nonrenewal;
 - b) The notice of non-renewal indicates that one claim was filed during the first year of his policy which was issued June 9, 2009; and
 - c) State Farm studies of homeowners loss frequency show an average homeowner having one claim in every seventeen years. State Farm's

studies also show that policyholders who experience a theft loss within the first year are likely to experience future claims. A decision was made to non-renew.

CONCLUSIONS

1. The Director of Insurance has jurisdiction of the subject matter and parties to the proceeding.
2. Section 143.21a of the Illinois Insurance Code (215 ILCS 5/143.21a) states that a policy may not be non-renewed for any of the following reasons:
 - a. age of the property;
 - b. location of the property;
 - c. age, sex, race, color, ancestry, marital status, or occupation of occupants.
3. The Complainant requested a hearing in this matter but did not appear and therefore no evidence or testimony was presented to refute State Farm Fire and Casualty Insurance Company's basis for issuing the non-renewal.
4. The Respondent gave the required notice of non-renewal as set forth in Section 143.17 of the Illinois Insurance Code (215 ILCS 5/143.17).
5. The non-renewal of State Farm Fire & Casualty Insurance Company Policy No. 13-BW-F917-6 was not contrary to Section 143.21a of the Illinois Insurance Code (215 ILCS 5/143.21a) and is therefore valid.

RECOMMENDATIONS

1. That the nonrenewal by State Farm Fire and Casualty Insurance Company Policy Number 13-BW-F917-6 was not contrary to the applicable provisions of the Illinois Insurance Code and therefore valid.
2. That the cost of this hearing be waived.

Respectfully submitted,

Date: June 10, 2010


Helen Kim
Hearing Officer